

REMARKS

Claims 16, 18, 19, 21, 22, 24-26, 28, 29, 31, 33-35, 37-39 and 41-42 are pending.

Claims 16, 31 and 33 are independent claims from which the remaining claims depend directly or through intervening claims.

Foreign Priority

The indication that the foreign priority document has been received and placed in the file is noted.

Reply to Objections

Claim 31 was objected to because the word "constant" was misspelled. Claim 31 has been amended to correct this matter.

Claim 33 was objected to as being of improper dependent form failing to further limit the subject matter of a previous claim. To expedite prosecution, this claim has been rewritten in independent form as suggested in the Office Action.

For the reasons set forth above, the Examiner is requested to reconsider and withdraw the objection to the claims.

D ouble Patenting

On page 3 of the Office Action, first paragraph, the Examiner stated that claims 35 or 39 would be allowable, but that claims 36 and 40 duplicated these claims. Accordingly, to comply with the Examiner's request, claims 36 and 40 have been canceled. Accordingly, the Examiner is requested to allow claims 35 and 39 as stated in the Office Action.

Reply to Rejections

First Rejection

Claims 16, 18-19, 21-22, 24-26, 28-29, 31 and 33-42 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-7 of U. S. Patent No. 6,597,823.

Enclosed with this Reply is a timely-filed Terminal Disclaimer regarding U. S. Patent No. 6,597,823, which on its face overcomes the rejection on the judicially created doctrine of obviousness-type double patenting.

The Examiner is requested to reconsider and withdraw the rejection under the judicially created doctrine of obviousness-type double patenting.

Second Rejection

Claims 16, 18-19, 21-22, 24-26, 28-29, 31 and 33-42 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4 of U. S. Patent No. 6,480,640.

Enclosed with this Reply is a timely-filed Terminal Disclaimer regarding U. S. Patent No. 6,480,640, which on its face overcomes the rejection on the judicially created doctrine of obviousness-type double patenting.

The Examiner is requested to reconsider and withdraw the rejection under the judicially created doctrine of obviousness-type double patenting.

Additional Art Cited

The additional art cited as it has not been applied no comments are considered necessary.

Conclusion

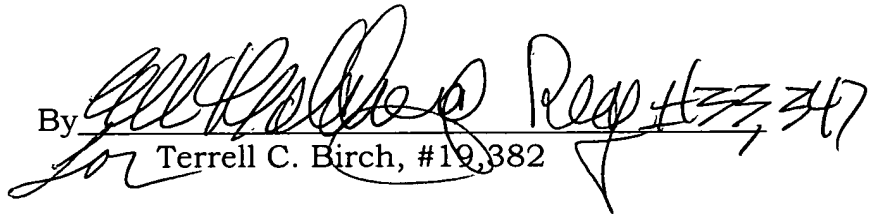
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Elliot A. Goldberg (Reg. No. 33,347), at the telephone number of (703) 205-8000, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

 Reg # 19,382

Terrell C. Birch, #19,382

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

TCB/EAG/slb